

In the House of Representatives, U. S.,

July 17, 2012.

Resolved, That the bill from the Senate (S. 1959) entitled “An Act to require a report on the designation of the Haqqani Network as a foreign terrorist organization and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Haqqani Network Ter-*
3 *rorist Designation Act of 2012”.*

4 ***SEC. 2. REPORT ON DESIGNATION OF THE HAQQANI NET-***
5 ***WORK AS A FOREIGN TERRORIST ORGANIZA-***
6 ***TION.***

7 *(a) FINDINGS.—Congress makes the following findings:*

8 *(1) A report of the Congressional Research Serv-*
9 *ice on relations between the United States and Paki-*
10 *stan states that “[t]he terrorist network led by*
11 *Jalaluddin Haqqani and his son Sirajuddin, based in*
12 *the FATA, is commonly identified as the most dan-*
13 *gerous of Afghan insurgent groups battling U.S.-led*
14 *forces in eastern Afghanistan”.*

1 (2) *The report further states that, in mid-2011,*
2 *the Haqqanis undertook several high-visibility attacks*
3 *in Afghanistan. First, a late June assault on the*
4 *Intercontinental Hotel in Kabul by 8 Haqqani gun-*
5 *men and suicide bombers left 18 people dead. Then,*
6 *on September 10, a truck bomb attack on a United*
7 *States military base by Haqqani fighters in the*
8 *Wardak province injured 77 United States troops and*
9 *killed 5 Afghans. A September 13 attack on the*
10 *United States Embassy compound in Kabul involved*
11 *an assault that sparked a 20-hour-long gun battle and*
12 *left 16 Afghans dead, 5 police officers and at least 6*
13 *children among them.*

14 (3) *The report further states that “U.S. and Af-*
15 *ghan officials concluded the Embassy attackers were*
16 *members of the Haqqani network”.*

17 (4) *In September 22, 2011, testimony before the*
18 *Committee on Armed Services of the Senate, Chair-*
19 *man of the Joint Chiefs of Staff Admiral Mullen stat-*
20 *ed that “[t]he Haqqani network, for one, acts as a*
21 *veritable arm of Pakistan’s Inter-Services Intelligence*
22 *agency. With ISI support, Haqqani operatives plan*
23 *and conducted that [September 13] truck bomb attack,*
24 *as well as the assault on our embassy. We also have*
25 *credible evidence they were behind the June 28th at-*

1 *tack on the Intercontinental Hotel in Kabul and a*
2 *host of other smaller but effective operations”.*

3 *(5) In October 27, 2011, testimony before the*
4 *Committee on Foreign Affairs of the House of Rep-*
5 *resentatives, Secretary of State Hillary Clinton stated*
6 *that “we are taking action to target the Haqqani*
7 *leadership on both sides of the border. We’re increas-*
8 *ing international efforts to squeeze them operationally*
9 *and financially. We are already working with the*
10 *Pakistanis to target those who are behind a lot of the*
11 *attacks against Afghans and Americans. And I made*
12 *it very clear to the Pakistanis that the attack on our*
13 *embassy was an outrage and the attack on our for-*
14 *ward operating base that injured 77 of our soldiers*
15 *was a similar outrage.”.*

16 *(6) At the same hearing, Secretary of State Clin-*
17 *ton further stated that “I think everyone agrees that*
18 *the Haqqani Network has safe havens inside Paki-*
19 *stan; that those safe havens give them a place to plan*
20 *and direct operations that kill Afghans and Ameri-*
21 *cans.”.*

22 *(7) On November 1, 2011, the United States*
23 *Government added Haji Mali Kahn to a list of spe-*
24 *cially designated global terrorists under Executive*
25 *Order 13224. The Department of State described*

1 *Khan as “a Haqqani Network commander” who has*
2 *“overseen hundreds of fighters, and has instructed his*
3 *subordinates to conduct terrorist acts.” The designa-*
4 *tion continued, “Mali Khan has provided support*
5 *and logistics to the Haqqani Network, and has been*
6 *involved in the planning and execution of attacks in*
7 *Afghanistan against civilians, coalition forces, and*
8 *Afghan police”. According to Jason Blazakis, the chief*
9 *of the Terrorist Designations Unit of the Department*
10 *of State, Khan also has links to al-Qaeda.*

11 *(8) Five other top Haqqani Network leaders have*
12 *been placed on the list of specially designated global*
13 *terrorists under Executive Order 13224 since 2008,*
14 *and three of them have been so placed in the last year.*
15 *Sirajuddin Haqqani, the overall leader of the*
16 *Haqqani Network as well as the leader of the*
17 *Taliban’s Mira shah Regional Military Shura, was*
18 *designated by the Secretary of State as a terrorist in*
19 *March 2008, and in March 2009, the Secretary of*
20 *State put out a bounty of \$5,000,000 for information*
21 *leading to his capture. The other four individuals so*
22 *designated are Nasiruddin Haqqani, Khalil al*
23 *Rahman Haqqani, Badruddin Haqqani, and Mullah*
24 *Sangeen Zadran.*

1 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
2 *that—*

3 (1) *the Haqqani Network meets the criteria for*
4 *designation as a foreign terrorist organization as set*
5 *forth in section 219 of the Immigration and Nation-*
6 *ality Act (8 U.S.C. 1189); and*

7 (2) *the Secretary of State should so designate the*
8 *Haqqani Network as a foreign terrorist organization*
9 *under such section 219.*

10 (c) *REPORT.—*

11 (1) *REPORT REQUIRED.—Not later than 30 days*
12 *after the date of the enactment of this Act, the Sec-*
13 *retary of State shall submit to the appropriate com-*
14 *mittees of Congress—*

15 (A) *a detailed report on whether the*
16 *Haqqani Network meets the criteria for designa-*
17 *tion as a foreign terrorist organization as set*
18 *forth in section 219 of the Immigration and Na-*
19 *tionality Act (8 U.S.C. 1189); and*

20 (B) *if the Secretary determines that the*
21 *Haqqani Network does not meet the criteria set*
22 *forth under such section 219, a detailed justifica-*
23 *tion as to which criteria have not been met.*

1 (2) *FORM.*—*The report required by paragraph*
 2 (1) *shall be submitted in unclassified form, but may*
 3 *include a classified annex.*

4 (3) *APPROPRIATE COMMITTEES OF CONGRESS*
 5 *DEFINED.*—*In this subsection, the term “appropriate*
 6 *committees of Congress” means—*

7 (A) *the Committee on Armed Services, the*
 8 *Committee on Foreign Relations, the Committee*
 9 *on the Judiciary, and the Select Committee on*
 10 *Intelligence of the Senate; and*

11 (B) *the Committee on Armed Services, the*
 12 *Committee on Foreign Affairs, the Committee on*
 13 *the Judiciary, and the Permanent Select Com-*
 14 *mittee on Intelligence of the House of Represent-*
 15 *atives.*

16 (d) *CONSTRUCTION.*—*Nothing in this Act may be con-*
 17 *strued to infringe upon the sovereignty of Pakistan to com-*
 18 *bat militant or terrorist groups operating inside the bound-*
 19 *aries of Pakistan.*

Attest:

Clerk.

112TH CONGRESS
2^D SESSION

S. 1959

AMENDMENT